

REMARKS

The Non-Final Office Action of May 12, 2003 has been fully considered by the Applicants. In view of the above amendments and following remarks, issuance of a Notice of Allowance is respectfully requested.

The disclosure has been objected to for failure to reference the parent application. The disclosure has been amended to reference the parent application.

The abstract has been objected to for containing more than one (1) paragraph and too many words. The abstract has been amended.

The Examiner has suggested amending claims 14 and 16 to change "abhesive" to "adhesive". Applicants respectfully submit the use of the word "abhesive" was not a spelling error. "Abhesive" is defined by the online Etherington & Roberts Dictionary (palimpsest.Stanford.edu/don/dt/dt0005.html – copy included) as a material having the ability to resist adhesion. Moreover, the term "abhesive" has been used consistently throughout the specification. Claims 26 and 27 have been amended to change "adhesive" to "abhesive".

Claims 13-21 and 25-27 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject which applicant regards as the invention. Specifically, claims 13-16, and 25-27 have been rejected for improper dependency. The claims have been amended to clarify dependency. Withdrawal of the rejections is respectfully requested.

Claims 10-11, 13, and 17 are rejected under 35 U.S.C. § 102(b) as being anticipated by De Woskin. Applicants respectfully traverse.

The Examiner states that De Woskin teaches an electronically heat-sealing apparatus, comprising a support member having a smooth flat surface supporting the plastic sheets, a heatable member having a flat surface for compressing a portion of the seam region of the sheet material; wherein the heating member is a compression heating bar and a strip. The De Woskin reference does not teach a heatable flat surface comprising a low surface energy or abhesive material such as that of claim 10. Because De Woskin does not teach an essential component of the present claims, it cannot be said to anticipate the claims. Moreover, the Examiner has implicitly acknowledged this by not rejecting claim 14 under De Woskin.

Withdrawal of the 35 U.S.C. § 102(b) rejection over De Woskin is respectfully requested.

The Examiner has rejected claims 10-12, 15-17, and 22-24 under 35 U.S.C. § 102(b) as being anticipated by Onishi. Applicants respectfully traverse.

According to the Examiner, Onishi teaches an ultrasonic welding apparatus comprising a support member with a flat surface for supporting the workpieces, a heatable member comprising the seam portion of the workpieces, wherein the heatable member is a metal rotatable compression wheel, has a heatable flat smooth surface to heat a portion of the workpieces on the flat surface of the support means, and a heatable plastic strip; the heating surface of the wheel comprises adhesive material such as silicon. Applicants respectfully reassert that the heatable flat surface of the present invention comprises a low surface energy or abhesive material. An abhesive material is, by definition, opposite of an adhesive material such as that taught by Onishi. The present claims, therefore, are not anticipated by Onishi, as implicitly acknowledged by the Examiner's decision not to reject claim 14 in view of Onishi. Withdrawal of the rejection is respectfully requested.

Claims 10-12 and 15-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Heyse in view of the Japanese reference (03-201367, hereinafter '367). Applicants respectfully traverse.

The Examiner states that Heyse discloses an apparatus for continuous welding or sealing of seams of plastic films, but fails to disclose that the support member includes a flat support surface. It would have been obvious, according to the Examiner, to modify Heyse by providing a supporting member with a flat surface as taught by '367. The Examiner has not shown any motivation within either Heyse or '367 that would lead one of ordinary skill in the arts to combine the De Woskin and '367 references and then modify them by use of low surface energy or abhesive material on the support such as that of claim 10. Since the Examiner has not provided such motivation, Applicants respectfully assert the claims are not obvious over Heyse in view of '367 and respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections.

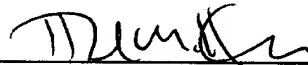
The Examiner has rejected claims 14 and 25-27 under 35 U.S.C. § 103(a) as being unpatentable over De Woskin and further in view of Schwarzkopf. Applicants respectfully traverse.

The Examiner has failed to provide motivation that would lead one of skill in the art to combine De Woskin and Schwarzkopf. De Woskin is directed to sealing together different materials (claim 1), whereas Schwarzkopf is directed to forming weakened tear-lines (claim 1). One is directed to forming more stable products, while one is directed to easy reversibility. One of skill in the art would not, therefore be led to combine the two references, as a weakened seam - such as that of Schwarzkopf - would be an undesirable result in the present invention. Withdrawal of the 35 U.S.C. § 103(a) rejections is therefore respectfully requested.

Applicants respectfully submit that, in view of the above amendments and remarks, the application is in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is thus requested.

If any fee is due in conjunction with this response, authorization is hereby given for deduction of that fee from Deposit Account No. 24-0037.

Respectfully submitted,
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abhesive

A material having the capability of resisting ADHESION . Surfaces are coated with abhesive substances to reduce sticking, heat sealing, and the like. Silicone paper is an example of an abhesive material. (222)



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